

Order

Michigan Supreme Court
Lansing, Michigan

February 1, 2017

Stephen J. Markman,
Chief Justice

154047

Robert P. Young, Jr.
Brian K. Zahra
Bridget M. McCormack
David F. Viviano
Richard H. Bernstein
Joan L. Larsen,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 154047
COA: 324677
Branch CC: 13-121067-FH

KRISTOPHER ALLEN WADE,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the March 17, 2016 and May 9, 2016 judgments of the Court of Appeals are considered and, pursuant to MCR 7.305(H)(1), in lieu of granting leave to appeal, we REVERSE the judgments of the Court of Appeals, and we REMAND this case to the Branch Circuit Court for reconsideration of the defendant's motion to correct the presentence report. The motion was timely filed; therefore the procedures of MCR 6.425(E)(2) apply. Moreover, the defendant is not precluded from challenging information in the presentence report that had appeared in an earlier presentence report for a different offense but went unchallenged at that time.

We do not retain jurisdiction.



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I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

February 1, 2017


Clerk